



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR 13 1997

REPLY TO THE ATTENTION OF:

C-29

Edward C. Fitzhenry, Jr.  
Assistant City Attorney  
City of Granite City  
P.O. Box 735  
1939 Delmar Ave.  
Granite City, Illinois 60204

RE: NL/Taracorp NPL Superfund Site; Granite City, Illinois

Dear Mr. Fitzhenry:

The United States Environmental Protection Agency (U.S. EPA) would like to thank you for convening a meeting between U.S. EPA and the responsible parties to discuss possibilities for the responsible parties taking over the remedy in accordance with the Record of Decision, and Decision Document/ Explanation of Significant Differences. U.S. EPA would also like to thank you for presenting the proposed settlement. We are encouraged and hopeful that an agreement can be reached between the parties such that the Defendant PRPs will undertake all or any portion of the remedy.

As was clear at the meeting, there is some confusion regarding Granite City's proposal. U.S. EPA is not inclined to consider waiving any of the costs incurred thus far. However, it would seem to be in everyone's best interest to resolve this matter in such a way that the Defendant PRPs can complete the remedy. As to Granite City's proposal, U.S. EPA requires clarification of some of the items contained therein in order to completely evaluate the ability of the proposal to satisfy the requirements set forth in the ROD and the DD/ESD. To that end, U.S. EPA offers the enclosed comments.

We look forward to working with you further on this important matter.

Sincerely,

Sean Mulroney  
Associate Regional Counsel

EPA Region 5 Records Ctr.



257933

Enclosure

bcc: Sheri L. Bianchin  
Brad Bradley  
Pat Van Leeuwen



## ENCLOSURE

### U.S. EPA Comments based upon Review of the City of Granite City Proposed Settlement For the NL/Taracorp NPL Superfund Site

1. Point #1: EPA accepts point #1, provided that the requirements of the ROD and the DD/ESD, including the ground water cleanup, are met.
2. Point #2, first bullet: What is meant by "across the lots"? This is not clear. Clarify at what depths sampling and cleanup will be performed.
3. Point #2, second bullet: What is meant by "until the block as a whole reaches a 500 ppm lead average"? Provide an example of how the average would be computed. Under the proposal, is there a lead level in a residential yard which will trigger an automatic cleanup, even if the block average meets the 500 ppm average? What impact will this averaging approach have on the number of yards to be remediated? How leaving yards above 500 ppm be justified with regard to equal protection and the property transfer laws?
4. Point #2, third bullet: The third sentence states . . . . and lead sources are eliminated or decreased, . . . . What is meant by "lead sources are eliminated or decreased"? Under the proposal, if paint removal occurs under the lead reduction program, is there still a need to do soil? In other words, must all sources of lead be addressed? From the proposal presented, it is not clear what are the boundaries of the paint remediation area? Explain the rationale, in terms of risk, for setting these boundaries? How will the residents, if any, whose homes are excluded from the program due to these boundaries be dealt with?
5. Point #2, third bullet: What is the City's lead reduction program? Does this program currently exist? How is deteriorating lead paint on the residential properties assessed? How does a residence qualify? If not presently available, how long will it take to get an assessment of the housing stock with regard to deteriorating lead paint?
6. Point #2, fourth bullet: EPA accepts this bullet point.
7. Point #2, fifth bullet: The text states, . . . , as necessary. What is meant by "as necessary"?
8. Point #2, sixth bullet: The text states, . . . , as appropriate. What is meant by "as appropriate"?
9. Point # 2, seventh bullet: How will the heating ducts and attics be cleaned?
10. Point # 2, eighth bullet: EPA accepts this bullet point.
11. Point #3, first bullet: EPA accepts this bullet point.
12. Point #3, second bullet: Why is dust lead loading used as the indicator of paint exposure. High floor lead concentrations may be more indicative of the presence of interior paint than floor lead loading. (High lead dust concentration and low dust loading usually means paint rather than soil as a source of lead in dust). Floor lead loading may indicate a continuing outdoor soil source - such as outdoor paint.

13. **Point #3, third bullet:** EPA is in favor of the concept outlined in this bullet; however, EPA has the following concerns: Do you mean that the homeowner will be given the option of fixing the problem if he wants to do it himself? Will he be given some training to do this - or better yet, be required to sit through a lead-abatement training course? Is there a high likelihood that his children will become lead-poisoned during the paint remediation if the work is not done by a certified (in lead paint removal) contractor?

14. **Point #3, fourth bullet:** EPA accepts this bullet point.

15. **Point #4:** EPA has no intention of withdrawing its claim for penalties and reimbursement of expenses and costs incurred to date; however, EPA will continue to cooperate with the City to secure HUD grant and other funds.

16. **General Comments:**

(a) What level of human health protectiveness will be achieved with this residential soil/paint cleanup program?

(b) What will be the ultimate cost of implementing this settlement proposal? Since you stated at the meeting that the program is to be implemented in Granite City only, what is the projected cost of addressing similar problems in Madison, Venice, and Eagle Park Acres?

(c) How long will it take to prepare a standard operating protocol and quality assurance plan, and begin to implement the program outlined in the proposal?



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MAR 12 1997

REPLY TO THE ATTENTION OF:

C-29

Mr. Louis F. Bonacorsi  
Bryan Cave LLP  
One Metropolitan Square  
Suite 2600  
St. Louis, MO 63102-2750

RE: NL/Taracorp NPL Superfund Site; Granite City, Illinois

Dear Mr. Bonacorsi:

The United States Environmental Protection Agency (U.S. EPA) would like to thank you for attending the meeting with U.S. EPA and the City of Granite City on January 22, 1997, to discuss the remedy at the NL/Taracorp National Priorities List Superfund Site.

As stated during the meeting, if the defendants are interested in taking over any or all of the remaining portions of the remedy, U.S. EPA would encourage the parties to do so. However, time is of the essence. U.S. EPA is moving forward with implementation of the cap for the Taracorp pile and anticipates that construction will commence in May 1997. Therefore, U.S. EPA would like to encourage you to discuss this matter as soon as possible so that this work, if carried out by the defendants under the November 1990 Order, can be performed without delaying the current schedule for capping the Taracorp pile.

U.S. EPA is willing to meet with you at your convenience to discuss these matters. As agreed during the meeting, U.S. EPA is providing comments to the settlement proposal by the City of Granite City under separate cover. If you have any questions concerning this letter, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean Mulroney".

Sean Mulroney  
Associate Regional Counsel  
312 886-7150

cc: Edward Fitzhenry, Esq, City of Granite City

bcc: Sheri L. Bianchin  
✓ Brad Bradley  
Pat Van Leeuwen